

MEMORANDUM

IRCAC

Agenda Item No. 2(A)

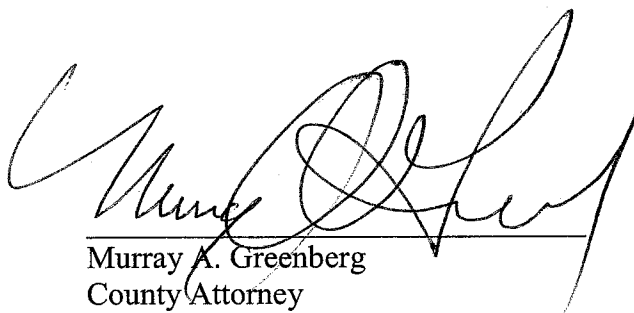
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 15, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging Florida
legislature to enact
legislation to allow early
termination of lease
agreements by victims of
domestic violence

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 5, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor

Agenda Item No.

Veto _____

12-5-06

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT LEGISLATION AMENDING CHAPTER 83 OF THE
FLORIDA STATUTES THAT WOULD ALLOW EARLY
TERMINATION OF LEASE AGREEMENTS BY VICTIMS OF
DOMESTIC VIOLENCE

WHEREAS, over 120,386 Miami-Dade County residents were reported victims of domestic violence in 2005, according to the Florida Department of Law Enforcement; and

WHEREAS, innovative programs are needed to help domestic violence victims and their families remain safe; and

WHEREAS, many of these victims feel compelled to abide by residential leases and remain in abusive relationships, due to the constraints of Florida's landlord-tenant laws which were not designed to take into account the special circumstances of domestic violence victims; and

WHEREAS, the Florida Legislature can adopt legislation which would allow for the early termination of a rental agreement by a victim of domestic violence, upon giving the requisite notice,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact legislation amending Chapter 83 of the Florida Statutes that would allow early termination of lease agreements by victims of domestic violence who have been granted a permanent injunction against domestic violence and have made a police or incident report of domestic violence, so that such victim will be able to vacate a dwelling without penalty, following appropriate written notice to the landlord.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include these items in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

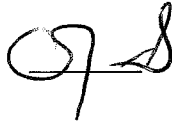
The Chairman thereupon declared the resolution duly passed and adopted this 5th day of December, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Cynthia Johnson-Stacks